



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: August 11, 2015

DATE: August 4, 2015
TO: Board of County Commissioners
FROM: Paul A. Lipparelli, Assistant Washoe County District Attorney

SUBJECT: Second reading and possible adoption of an ordinance amending Chapter 25 of the Washoe County Code (Business Licenses, Permits and Regulations), adding Section 25.1515 (Boundaries of Certain Districts) to establish the boundaries of a certain district for the imposition of a surcharge on hotel room rentals as required by S.B. 312; and providing for other matters properly relating thereto.

SUMMARY

The proposed ordinance establishes the boundaries of a certain district for the imposition of a surcharge on hotel room rentals as required by S.B. 312.

BACKGROUND

The 2015 Nevada Legislature passed S.B. 312 which creates a new district for the promotion of tourism and imposes a new \$2 surcharge on the per night charges for the rental of a room in a hotel in the district other than a hotel that holds a nonrestricted gaming license. Section 4 of the bill requires the Washoe County Board of County Commissioners to adopt an ordinance prescribing the boundaries of the district and describes what property must be included within its boundaries.

Pursuant to S.B. 312 the boundaries of the new district must include all property: (a) which is located in the county and located in any city in the county other than property that is located within a district created by a city to finance capital projects necessary to improve and maintain publicly owned facilities for tourism and entertainment; and (b) which is located not more than 20 miles from the boundaries of any such district created by a city; and (c) which does not include any property located within a district created pursuant to NRS 268.798.

If the proposed ordinance is adopted, the boundaries of the district created by the Nevada Legislature will be established as required by S.B. 312.

FISCAL IMPACT

The surcharge imposed by S.B. 312 will be collected by the Reno-Sparks Convention and Visitors Authority ("RSCVA") from the rental of certain hotel rooms in

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the newly-defined district, and the proceeds will stay with the RSCVA. No positive or negative fiscal impact is expected for Washoe County.

RECOMMENDATION

It is recommended that the Board of County Commissioners adopt the proposed ordinance amending Chapter 25 of the Washoe County Code (Business Licenses, Permits and Regulations), adding Section 25.1515 (Boundaries of Certain Districts) to establish the boundaries of a certain district for the imposition of a surcharge on hotel room rentals as required by S.B. 312; and providing for other matters properly relating thereto.

POSSIBLE MOTION

If the Board of County Commissioners agrees with the recommendation, a possible motion would be to adopt the proposed ordinance amending Chapter 25 of the Washoe County Code (Business Licenses, Permits and Regulations), adding Section 25.1515 (Boundaries of Certain Districts) to establish the boundaries of a certain district for the imposition of a surcharge on hotel room rentals as required by S.B. 312; and providing for other matters properly relating thereto.

SUMMARY: An ordinance establishing the boundaries of a district for a surcharge on the rental of hotel rooms.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 25 OF THE WASHOE COUNTY CODE (BUSINESS LICENSES, PERMITS AND REGULATIONS), ADDING SECTION 25.1515 (BOUNDARIES OF CERTAIN DISTRICTS) TO ESTABLISH THE BOUNDARIES OF A CERTAIN DISTRICT FOR THE IMPOSITION OF A SURCHARGE ON HOTEL ROOM RENTALS AS REQUIRED BY S.B. 312; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. S.B. 312 passed by the 78th Nevada Legislature and signed by the Governor creates a new district for the promotion of tourism and imposes a new \$2 surcharge on the per night charges for the rental of a room in a hotel in the district other than a hotel that holds a nonrestricted gaming license. Section 4 of the bill requires the Washoe County Board of County Commissioners to adopt an ordinance prescribing the boundaries of the district and describes what property must be included within its boundaries.

SECTION 2. Chapter 25 of the Washoe County Code (Business Licenses, Permits and Regulations) is hereby amended by adding section 25.1515 which shall read as follows:

25.1515 Boundaries of Certain Districts.

1. For the purposes of this section:

- (a) "Hotel" means a building occupied or intended to be occupied for compensation, as the temporary residence for transient guests, primarily persons who have residence elsewhere; and
- (b) A hotel has an interior hall and lobby with access to each room from the interior hall or lobby.

2. The boundaries of the district for the imposition of a per night surcharge for the rental of a room in a hotel includes all property:

- (a) which is located in the county and located in any city in the county other than property that is located within a district created by a city to finance capital projects necessary to improve and maintain publicly owned facilities for tourism and entertainment; and
- (b) which is located not more than 20 miles from the boundaries of any such district created by a city; and
- (c) which does not include any property located within a district created pursuant to NRS 268.798.

SECTION 3. If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 4. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases, or sentences contained in the Washoe County Code in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall be published by title only, together with the names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Washoe County, Nevada, at least once a week for a period of two (2) weeks, and shall be in force and effect on August 21, 2015 and thereafter.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the ____ day of _____, 2015.

Proposed by Commissioner _____.

Passed on the ____ day of _____, 2015.

Vote:

Ayes:

Nays:

Absent:

Marsha Berkbigler, Chairwoman
Washoe County Commission

ATTEST:

County Clerk

This ordinance shall be in force and effect from and after the ____ day of _____, 2015.